

**PLANNING AND ZONING COMMISSION  
STAFF REPORT**

**July 6 of 2006**



**RZ 06-14: Blinn College**

**CASE DESCRIPTION:** request to change the zoning classification from a combination of 'C-2' Retail and 'A-O' Agricultural-Open Districts, to a 'PD' Planned Development District allowing college and university related facilities

**LOCATION:** 73.68 acres of land adjoining the west side of the 2400-2500 blocks of East Villa Maria Road between William J. Bryan Parkway and East 29<sup>th</sup> Street, in east central Bryan, Brazos County, Texas

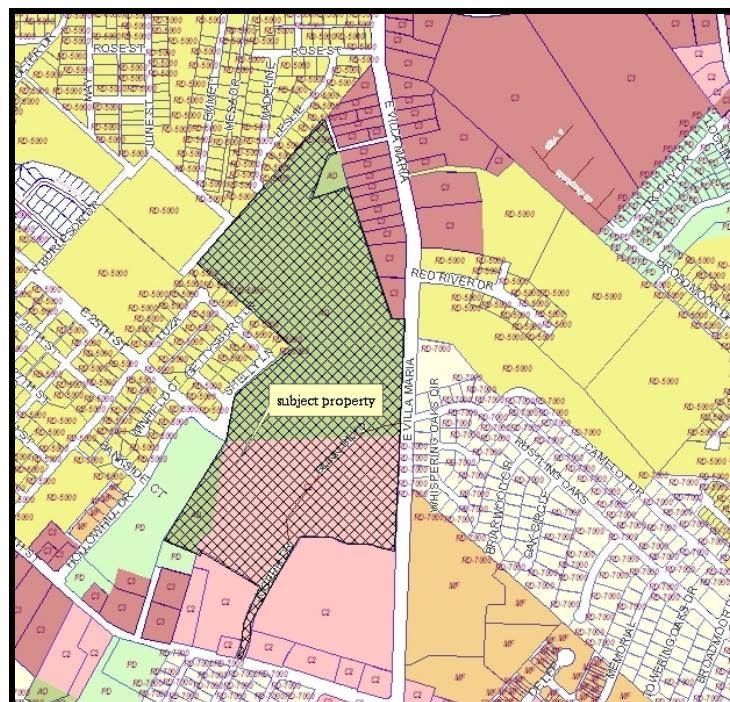
**LEGAL DESCRIPTION:** Lot 1 in Block 1 of the subdivision known as Blinn College Bryan Campus

**EXISTING LAND USE:** junior college; vacant acreage

**APPLICANT(S):** Washington County Jr. College District (Blinn College)

**STAFF CONTACT:** Martin Zimmermann, Project Planner

**SUMMARY RECOMMENDATION:** Staff recommends **approving** the proposed Planned Development District on all land encompassed by this request.



## **BACKGROUND:**

The applicant, Blinn College, owns 73.68 acres of land adjacent to the west side of the 2400-2500 blocks of East Villa Maria Road between William J. Bryan Parkway and East 29<sup>th</sup> Street. Blinn College desires to eventually expand its facilities, which currently occupy approximately 50 percent of these 73+ acres, onto the now vacant portions of this tract. Those vacant portions are currently zoned 'A-O' Agricultural-Open District, within which colleges and universities are generally not allowed. The remainder of these 73+ acres is zoned 'C-2' Retail District wherein colleges and universities are allowed only with prior approval of a Conditional Use Permit.

Blinn College is requesting to change the zoning classification on these 73+ acres from the existing combination of 'A-O' and 'C-2' zoning districts, to a 'PD' Planned Development zoning district allowing college and university related facilities.

As proposed, this Planned Development District will allow only colleges and other institutions of higher learning that offer courses of general or specialized study leading to a degree, as well as accessory uses generally associated with such uses, for example, offices, housing for students, food service, laboratories, health and sports facilities, theaters, meeting areas, parking, maintenance facilities and support commercial. Physical development in this 'PD' District is proposed to comply with development standards and limitations of the City of Bryan Code of Ordinances that generally apply to properties zoned 'C-2' Retail District. These may include, for example, regulations concerning density, lot area, lot width, lot depth, yard depth and widths, building height, building elevations, coverage, floor area ratio, parking, access, screening, landscaping, accessory buildings and signs. Please also refer to a draft ordinance attached to this staff report.

## **ANALYSIS:**

In making its recommendation regarding a proposed zoning change, the Planning and Zoning Commission shall consider the following factors.

1. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned; relationship to general area and the City as a whole.

**The subject property is adjoined by residential zoning districts on three of its four sides. The fourth side adjoins East Villa Maria Road. Staff recognizes the investment that nearby residents have made in their properties and their right to maintain privacy. However, approximately 50 percent of the subject 73+ acres is already occupied by existing college facilities. Staff believes the additional other use and development proposed at this location, if limited exclusively to college, university and associated accessory uses, will generally be compatible with existing and anticipated uses surrounding this property. Staff believes that future use and development of this property with college or university facilities should have minimal (if any) adverse impacts on nearby properties and the City as a whole.**

2. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area and shall note the findings.

**The subject property adjoins East Villa Maria Road, capable of accommodating traffic loads typically associated with large-scale institutional developments. Any issues regarding capacity will be addressed at the time of development.**

3. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development.

**There is currently no land available in the City of Bryan where college or university uses are allowed by right.**

4. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.

**Staff contends that there is a slow rate of development for college and university related facilities in this vicinity and elsewhere in the City.**

5. How other areas designated for similar development will be, or are unlikely to be affected if the proposed amendment is approved, and whether such designation for other areas should be modified also.

**If the proposed zoning change were approved, staff believes there to be few if any effects on other areas designated for similar developments.**

6. Any other factors affecting health, safety, morals, or general welfare.

**Staff believes that future use and development of this property with college or university facilities will not adversely affect health, safety, morals, or general welfare.**

#### **RECOMMENDATION:**

Staff recommends **approving** the proposed Planned Development District allowing college and university related facilities on all land encompassed by this request.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF BRYAN, TEXAS, AMENDING CHAPTER 130, ZONING, OF THE CITY OF BRYAN CODE OF ORDINANCES, AS AMENDED, CHANGING THE ZONING CLASSIFICATION FROM A COMBINATION OF ‘C-2’ RETAIL AND ‘A-O’ AGRICULTURAL-OPEN DISTRICTS, TO A ‘PD’ PLANNED DEVELOPMENT DISTRICT ALLOWING COLLEGE AND UNIVERSITY RELATED FACILITIES, SUBJECT TO DEVELOPMENT REQUIREMENTS SPECIFIED HEREIN, ON 73.68 ACRES OF LAND ADJOINING THE WEST SIDE OF THE 2400-2500 BLOCKS OF EAST VILLA MARIA ROAD BETWEEN WILLIAM J. BRYAN PARKWAY AND EAST 29<sup>TH</sup> STREET, BEING LOT 1 IN BLOCK 1 OF THE SUBDIVISION KNOWN AS BLINN COLLEGE BRYAN CAMPUS IN EAST CENTRAL BRYAN, BRAZOS COUNTY, TEXAS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; FINDING AND DETERMINING THAT THE MEETINGS AT WHICH SAID ORDINANCE IS PASSED ARE OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Bryan has adopted Chapter 130, Zoning, of the City of Bryan Code of Ordinances, as amended, which divides the City of Bryan into various zoning districts; and

**WHEREAS**, permanent zoning changes made after the date of passage of Chapter 130, as amended, are made by adopting ordinances amending Chapter 130 for each particular permanent zoning change; and

**WHEREAS**, this requested change to Chapter 130, as amended, for 73.68 acres of land adjoining the west side of the 2400-2500 blocks of East Villa Maria Road between William J. Bryan Parkway and East 29<sup>th</sup> Street, being Lot 1 in Block 1 of the subdivision known as Blinn College Bryan Campus in east central Bryan, Brazos County, Texas, from a combination of ‘C-2’ Retail and ‘A-O’ Agricultural-Open Districts to a ‘PD’ Planned Development District allowing college and university related facilities was recommended for approval by the Bryan Planning and Zoning Commission during their regular meeting on July 6, 2006;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRYAN:**

1.

That Chapter 130, as amended, of the City of Bryan Code of Ordinances be amended by changing the zoning classification of 73.68 acres of land adjoining the west side of the 2400-2500 blocks of East Villa Maria Road between William J. Bryan Parkway and East 29<sup>th</sup> Street, being Lot 1 in Block 1 of the subdivision known as Blinn College Bryan Campus in east central Bryan, Brazos County, Texas and described more particularly on attached Exhibit "A", from a combination of ‘C-2’ Retail and ‘A-O’ Agricultural-Open Districts to a ‘PD’ Planned Development District allowing college and university related facilities, subject to development requirements specified in attached Exhibit “B” which is herein fully incorporated by reference for all purposes as if it was set forth in the text of the ordinance.

2.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

3.

Should any section, paragraph, sentences, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby, and to this end the provisions of this ordinance are declared to be severable.

4.

The Code of the City of Bryan, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

5.

It is hereby found and determined that the meetings at which this ordinance was passed were open to the public as required by Section 551.001 et seq., Texas Government Code, and that advance public notice of time, place and purpose of said meetings was given.

6.

This ordinance shall take effect immediately upon its second and final reading and passage.

PRESENTED AND GIVEN first reading the 25<sup>th</sup> day of July, 2006 at a regular meeting of the City Council of the City of Bryan, Texas; and given second reading, passed and approved on the 8<sup>th</sup> day of August, 2006 by a vote of \_\_\_ yeses and \_\_\_ noes at a regular meeting of the City Council of the City of Bryan, Texas.

ATTEST:

CITY OF BRYAN:

\_\_\_\_\_  
Mary Lynne Stratta, City Secretary

\_\_\_\_\_  
Ernie Wentreck, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael J. Cosentino, City Attorney

**Exhibit "A":**

**Metes and bounds description of land  
encompassed by rezoning request case number RZ 06-14: Blinn College**

**FIELD NOTES  
73.68 ACRES**

All that certain lot, tract, or parcel of land being 73.68 acres of land, more or less, situated in the JOHN AUSTIN SURVEY, ABSTRACT NO. 2, City of Bryan, Brazos County, Texas, and being all of that called 72.50 acre tract of land platted, Blinn College Bryan Campus, plat recorded in Volume 2852, Page 285, and being all of that 0.48 acre tract conveyed to the City of Bryan in Volume 2501, Page 27, and being all that 0.7 acre tract being a 60' wide joint access easement following the south drive entrance to Blinn College, and being more particularly described by the metes and bounds as follows:

COMMENCING: at a City of Bryan Monument marker No. 34;

THENCE: S 9°10'35" E – 815.73 feet to a ½" iron rod found, same rod marking the PLACE OF BEGINNING;

THENCE: S 16°29'27" E – 264.79 feet to a 1/2" iron rod found;

THENCE: S 78°25'48" W – 34.19 feet to a ½" iron rod found;

THENCE: S 45°08'03" W – 61.13 feet to a ½" iron rod found;

THENCE: S 26°16'41" W 283.73 feet to a ½" iron rod found

THENCE: N 78°27'02" E – 282.14 feet to a ½" iron rod found;

THENCE: S 16°15'25" E – 624.04 feet to a ½" iron rod set;

THENCE: S 16°09'57" E – 33.47 feet to a 3/8" iron rod found;

THENCE: S 16°30'08" E – 327.44 feet to a ½" iron rod found;

THENCE: S 88°44'08" E – 84.70 feet to a ½" iron rod found;

THENCE: S 03°35'35" W – 859.19 feet along the common line of said City of Bryan 72.5 acre tract (2852/285) and west right-of-way line of Villa Maria Road to a ½" iron rod found;

THENCE: S 04°04'04" W – 796.89 feet along said Villa Maria Road line to a ½" iron rod set;

THENCE: N 85°13'55" W – 65.62 feet along the east Blinn College entrance drive, same entrance drive containing all of a 0.48 acre tract conveyed to the City of Bryan (2501/27);

THENCE: 61.24 feet along said east entrance drive to the left with a central angle of 14°02'10", a radius of 250.00 feet and whose chord bears N 78°13'45" W – 61.09 feet;

THENCE: N 71°12'40" W – 41.52 feet along said east entrance drive;

THENCE: 61.73 feet along the said east entrance drive to the right with a central angle of 14°08'49", a radius of 250.00 feet and whose chord bears N 78°17'05" W – 61.57 feet;

THENCE: N 85°14'50" W – 122.55 feet along the said east entrance drive;

THENCE: 71.54 feet along said east entrance drive, curving to the left with a central angle of 26°26'45", a radius of 155.00 feet and whose chord bears N 72°01'28" W – 70.91 feet;

THENCE: N 58°48'05" W – 49.70 feet along said east entrance drive;

THENCE: N 85°52'11" W – 217.42 feet to a ½" iron rod set with cap;

THENCE: S 33°17'51" W – 494.51 feet to a ½" iron rod set;

THENCE: S 56°45'05" E – 5.00 feet to a ½" iron rod set;

THENCE: S 33°17'51" W – 82.85 feet to a ½" iron rod set;

THENCE: 205.14 feet along a curve to the right along the south Blinn entrance drive, having a central angle of 25°00'26", a radius of 470.00 feet and whose chord bears S 20°47'38" W – 203.51 feet;

THENCE: S 8°17'25" W – 13.54, continuing along said south entrance drive;

THENCE: 184.20 feet along a curve to the left along said south entrance, having a central angle of 19°54'45", a radius of 530.00 feet and whose chord bears S 18°14'48" W – 183.27 feet;

THENCE: S 28°12'11" W – 11.06 feet, continuing along said south drive;

THENCE N 75°39'57" W – 61.80 feet, along the common line of said south entrance drive and the north right-of-way of 29<sup>th</sup> Street;

THENCE: N 28°12'11" E – 25.88 feet, continuing along said south drive;

THENCE: 163.34 feet along a curve to the left along said south entrance drive, drive having a central angle of 19°54'43", a radius of 470.00 feet and whose chord bears N 18°14'47" E – 162.52 feet;

THENCE: N 8°17'25" E – 13.54, continuing along said south entrance drive;

THENCE: 231.32 feet along a curve to the right along said entrance drive drive, having a central angle of 25°00'26", a radius of 530.00 feet and whose chord bears N 20°47'38" E - 229.49 feet;

THENCE: N 33°17'51" E – 115.01 feet, along said south entrance drive;

THENCE: N 56°40'04" W – 526.91 feet to a ½" iron rod set;

THENCE: S 18°16'26" W – 33.66 feet to a ½" iron rod found;

THENCE: N 65°13'29" W – 261.60 feet to a ½" iron rod found;

THENCE: N 34°48'51" E – 837.55 feet along the common line of said 72.94 acre tract and Larry Ruffino, et al, 14.91 acre tract to a ½" iron rod found;

THENCE: N 11°40'49" E - 353.92 feet to a ½" iron rod found;

THENCE: N 51°15'19" E – 385.19 feet to a 3/8" iron rod found;

THENCE: continuing along N 51°15'19" E – 130.18 feet to a 3/8" iron rod found;

THENCE: N 44°58'23" W – 888.08 feet along the common line of said 72.50 acre tract and Wood Forest 1<sup>st</sup> Installment to a ½" iron rod found;

THENCE: N 43°29'21" E – 1361.86 feet along the most westerly line of said 72.50 acre tract same line being common with Ayers Addition (206/442) and the National Guard 17.25 acre tract to a ½" iron rod found, same rod marking the PLACE OF BEGINNING; and containing 73.68 acres of land, more or less, according to a survey made on the ground under the supervision of Donald D. Garrett, Registered Professional Land Surveyor, No. 2972. October, 2001.

**Exhibit “B”:**

**Development Plan for Planned Development District  
allowing college and university related facilities**

**SECTION 1: Land Use**

The continued use of land allowed within in this Planned Development District shall be limited to colleges and other institutions of higher learning that offer courses of general or specialized study leading to a degree. Allowed accessory uses include, but are not limited to, offices, housing for students, food service, laboratories, health and sports facilities, theaters, meeting areas, parking, maintenance facilities and support commercial. Examples include universities, liberal arts colleges, community colleges, nursing and medical schools not accessory to a hospital and seminaries.

**SECTION 2: Physical Development**

Physical development in this Planned Development District shall comply with development standards and limitations of the City of Bryan Code of Ordinances that generally apply to properties zoned ‘C-2’ Retail District, subject to any limitations specified herein. These development standards and limitations include, but are not limited to, regulations concerning density, lot area, lot width, lot depth, yard depth and widths, building height, building elevations, coverage, floor area ratio, parking, access, screening, landscaping, accessory buildings, signs, lighting as well as project phasing or scheduling.

**SECTION 3: Subdivision of Land**

The subdivision of land in this Planned Development District shall be allowed in accordance with Chapter 110, Subdivisions, of the City of Bryan Code of Ordinances.